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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,765	03/20/2001	Richard J. Terrien	RICK-04937	8883

23535 7590 01/22/2003

MEDLEN & CARROLL, LLP  
101 HOWARD STREET  
SUITE 350  
SAN FRANCISCO, CA 94105

EXAMINER
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POPOVICS, ROBERT J

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 01/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Interview Summary

Application No. <b>09/812,765</b>	Applicant(s) <b>Richard J. Terrien et al.</b>
Examiner <b>POPOVICS</b>	Art Unit <b>1724</b>

All participants (applicant, applicant's representative, PTO personnel):

(1) Mr. Richard J. Terrien (Applicant)

(3) Robert J. Popovics (Examiner)

(2) Ms. Jaen Andrews (Applicants' Representative)

(4) \_\_\_\_\_

Date of Interview Jan 16, 2003

Type: a)  Telephonic      b)  Video Conference  
c)  Personal [copy is given to 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e)  No. If yes, brief description:

Claim(s) discussed: All

Identification of prior art discussed:

Gore (U.S. 5,948,266)

Agreement with respect to the claims f) was reached. g)  was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Mr. Terrien compared his invention to Gore. He asserted that the device of Gore would block quickly when addressing the contaminated fluid that his device is designed to handle (i.e., liquid mixtures with solid contaminants), due to the presence of a pivoting mechanical weir. Additionally, he emphasized that his invention did not employ onboard sumps, ballasting, or pumps - which would serve to emulsify the fluid mixture being treated. Additionally, Mr. Terrien indicated that his device was more portable than that of Gore, and could gain access to facilities that the device of Gore could not, due to its size. Furthermore, Mr. Terrien asserted that the device of Gore required a long "set-up" time, whereas his device did not, nor did his device require treatment by the materials disclosed by Gore. The Examiner emphasized that the language of the claims must be given its broadest reasonable interpretation (e.g., "industrial activity"). The Examiner pointed out that col. 4, lines 6-8 taught manipulation of the "conduit," without inclusion of a handle, when this was suggested as a patentable feature. Applicants will submit a Response for Official Consideration. (A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



**ROBERT J. POPOVICS**  
**PRIMARY EXAMINER**

Examiner's signature, if required